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09/598,668	06/20/2000	Gavin Peacock	PALM-3215	5356

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EXAMINER
NGUYEN, QUANG N

ART UNIT	PAPER NUMBER
2141	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/22/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>09 March 2007</u>.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-21</u> is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-21</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on <u>20 June 2000</u> is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a) ☐ All   b) ☐ Some * c) ☐ None of:

       1. ☐ Certified copies of the priority documents have been received.

       2. ☐ Certified copies of the priority documents have been received in Application No. _____.

       3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)   4) ☐ Interview Summary (PTO-413)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)   Paper No(s)/Mail Date. _____ .

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)   5) ☐ Notice of Informal Patent Application

     Paper No(s)/Mail Date _____.   6) ☐ Other: _____.

Detailed Action

1.   This Office Action is responsive to the Amendment filed on 03/09/2007. Claims

1, 8 and 15 have been amended. Claims 1-21 remain pending for examination.

Claim Objections

2.   Claim 15 is objected to because of the following informalities:

On line 11 of claim 15: "type of said fie" should be "type of said file". Appropriate

correction is required.

Claim Rejections - 35 USC § 112

3.   The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4.   **Claims 1, 8 and 15 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.**

5.   Applicants amended claims 1, 8 and 15 to add new limitations *"said stream file*

having a library type and a data type" without referring to its corresponding description

in the specification (page and line number) for supporting the newly added limitations.

After reviewing page 27, lines 10-18 of the specification citing *"The*

communication program 340 then creates a universal stream file 315b of the data file

and the stream file 315b indicates the data type of the data file 315a. The stream file

315b is in a universal format and contains the data of file 315a but is formatted in

accordance with the needs of the handheld device 100, e.g., compressed, etc." which

describes "the stream file", Examiner respectfully submits that the claim(s) contains

subject matter *"said stream file having a library type and a data type"*, which was not

described in such a way as to reasonably enable one skilled in the relevant art to which

it pertains to make and/or use the invention.

Examiner respectfully requests that Applicants clearly point out **"where"** in the

specification (including page and line number) to describe and enable one skilled in the

art to convert/determine *"a stream file having a library type and a data type"*, as claimed.

Claim Rejections - 35 USC § 103

6.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art
> are such that the subject matter as a whole would have been obvious at the time the invention was made to
> a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be
> negatived by the manner in which the invention was made.

7.   Claims 1-2 and 8-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eggleston et al. (US 6,101,531), hereinafter "Eggleston", in view of Joseph (US 6,038,603), and further in view of Sawabe et al. (US 6,757,483), hereinafter "Sawabe".

8.   As to claim 1, **Eggleston** teaches a method of transferring data from a handheld device comprising the steps of:

a) forwarding information from an application on said handheld device to an exchange manager on said handheld device *(forwarding information from an application (such as forwarding a URL request from a browser application) on the mobile end computer system 201 to a data transfer manager or exchange unit 206 on said mobile end computer system 201)*, said exchange manager configured for converting said information to a stream file *(since the data transfer manager or exchange unit 206 communicates/exchanges information with the communication server 220 by messages of any appropriate data unit (such as frame, datastream, packet, or other format), including objects, datagrams, etc., containing information being communicated, said data transfer manager or exchange unit 206 must have formatted/converted said information to the appropriate data unit such as datastream to communicate with the communication server 220)* **(Eggleston, Fig. 2 and col. 5, line 23 – col. 6, line 7)**;

b) in response to said information, said exchange manager referencing an exchange library from a plurality of exchange libraries, wherein said exchange library defines a communication protocol for said identified transport mechanism and wherein

said exchange manager supports a plurality of communication protocols *(the data*

exchange unit 206 referencing/accessing data encoder/decoder 203 to accommodate,

i.e., to support, the system communications protocols and a transceiver/modem 202 to

connect to a wireless or wireline communications network) **(Eggleston, Fig. 2 and col.**

5, lines 23-48); and

c) communicating said information to a system as a stream file identifiable by an

application on a device external to said handheld device, identified by said destination,

that is external to said handheld device using said communication protocol *(via the data*

encoder/decoder 203 and the transceiver 202, the data transfer manager or exchange

unit 206 communicates/exchanges said information with the communication server 220,

VMS 230, local email post office 240, remote client-server host 255, and/or

administrator host server 260, etc., identified by the destination address that is external

to the mobile end device 201, by messages of any appropriate data unit such as frame,

datastream, etc.) said application on said device external to said handheld device

performing any necessary format conversion on said stream file *(for example, said*

browser application on the remote client-server host 255 is capable of performing any

necessary format conversion on said stream file for displaying an HTML file as a web

page on the display monitor, playing audio/video stream file to the speaker/monitor

screen) **(Eggleston, Fig. 2 and col. 5, line 23 – col. 6, line 7)**.

Eggleston does not explicitly teach said information having associated therewith

a Uniform Resource Locator (URL) containing an identified transport mechanism for

transmitting said information and also a destination for said information.

In an analogous art, **Joseph** teaches resources maybe uniquely identified through the use of a uniform resource locator *("URL")*, wherein a URL string *(http://Server A/File Store/File)* containing an identified transport mechanism *(http://)* and a destination *(Server A)* that a browser application uses to make a request directed to Server A in accordance with the "http" protocol **(Joseph, Fig. 2C and col. 2, lines 20-64)**.

Therefore, it would have been obvious to one having ordinary skills in the art at the time the invention was made to incorporate the feature of said information having associated therewith a Uniform Resource Locator (URL) containing an identified transport mechanism for transmitting said information and also a destination for said information, as disclosed by **Joseph**, into the teachings of **Eggleston** to allow a client via the browser uniquely identifying a desired resource by URL *(for example, "http://Server A/File Store/File")*, which indicates a destination server on which the resource is located, the filename, i.e., the location of the resource and the appropriate protocol (i.e., "http") to be used in retrieving the desired resource **(Joseph, col. 1, line 62 – col. 2, line 8)**.

However, **Eggleston-Joseph** does not explicitly teach said stream file having a library type and a data type.

In another analogous art, **Sawabe** teaches an audio stream *(i.e., stream file)* is an aggregation (or a gathering) of the audio information units, wherein the attribute information indicates the attributes of the respective audio streams, and includes a coding system of audio information, multi-channel information, audio type *(i.e., data*

type), application type *(i.e., library type),* quantization bit number, sampling frequency

and channel number **(Sawabe, col. 12, lines 6-45)**.

Therefore, it would have been obvious to one having ordinary skill in the art at

the time the invention was made to incorporate the feature of stream file having a library

type and a data type, as disclosed by **Sawabe**, into the teachings of Eggleston-Joseph

to use the attribute information of the stream file to describe attributes and/or

specifications of the video/audio information of the stream file as well as functions or the

like to be performed at the time of reproduction thereof **(Sawabe, col. 11, lines 27-32)**.

9.   As to claim 2, **Eggleston-Joseph-Sawabe** teaches the method of claim 1,

wherein the mobile device is a palmtop computer system comprising: a processor

coupled to a bus; a memory unit coupled to said bus; a screen coupled to said bus; and

a plurality of transport mechanisms *(a palmtop/handheld computer inherently comprises*

a processor, a memory unit, a screen coupled to a bus and a plurality of transport

mechanisms).

10.   Claims 8-9 are corresponding system claims of method claims 1-2; therefore,

they are rejected under the same rationale.

11.   **Claims 3-7 and 10-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eggleston-Joseph-Sawabe, further in view of Bodnar et al. (US 6,295,541), hereinafter "Bodnar".**

12.   As to claims 3-4, **Eggleston-Joseph-Sawabe** teaches the method of claim 1, wherein the data transfer manager or exchange unit 206 accommodates data transfer over a wide variety of networks via data encoder/decoder 203 using various communications protocols including radio frequency (rf) or infrared protocol or proprietary wireless carrier protocols **(Eggleston, col. 5, lines 30-42)**, but does not explicitly teach said plurality of communications protocols comprising an email protocol and a synchronization protocol.

In the related art, **Bodnar** teaches a palmtop computer capable of synchronization, infrared, radio frequency or wireless communications, and email communications **(Bodnar, Fig. 2 and col. 10, lines 42-53)**.

Therefore, it would have been obvious to one having ordinary skills in the art at the time the invention was made to combine the teachings of **Eggleston-Joseph-Sawabe** and **Bodnar** to include email, infrared, radio frequency and synchronization protocols in said communications protocols since all references are directed to communicating information over a communications network, hence, would be considered to be analogous based on their related fields of endeavor.

One would be motivated to do so to provide additional options *(i.e., additional protocols or transport mechanisms)* for communicating/synchronizing data between a broad range of networks and devices **(Bodnar, Fig. 2 and col. 10, lines 42-53)**.

13.   As to claim 5, **Eggleston-Joseph-Sawabe-Bodnar** teaches the method *of* claim 1, wherein said information is a data file *("datasets" of Bodnar and "File" 126 from Fig. 2C of Joseph).*

14.   As to claim 6, **Eggleston-Joseph-Sawabe-Bodnar** teaches the method of claim 1, wherein said information is an application program *("Official Notice" is taken as a "File" from Fig. 2C of Joseph and "datasets" of Bodnar might well be an application program).*

15.   As to claim 7, **Eggleston-Joseph-Sawabe-Bodnar** teaches the method of claim 1, but does not explicitly teach prompting the user for any unspecified criteria such as protocol to use or/and destination of the desired resource.

"Official Notice" is taken that both the concept and advantages of a system prompting a user for unspecified criteria are well known and expected in the art *(Examiner respectfully submits that it is obvious to one of ordinary skill in the art that the browser application has a text box **"Address"** for the user to enter the URL for the desired resource/destination, such as "http://Server A/File Store/File").*

Therefore, it would have been obvious to one having ordinary skills in the art at the time the invention was made to prompt the user for unspecified criteria such as protocol to use or/and destination of the desired resource since such methods were conventionally employed in the art to ensure the data is manipulated into the recognizable format before sending out to the receiving device using the compatible protocol.

16.   Claims 10-14 are corresponding system claims of method claims 3-7; therefore, they are rejected under the same rationale.

17.   **Claims 15-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eggleston-Joseph-Sawabe-Bodnar, further in view of Skarbo et al. (US 6,317,777), hereinafter "Skarbo".**

18.   As to claim 15, **Eggleston-Joseph-Sawabe-Bodnar** teaches the method for requesting and receiving data over the Internet by a mobile device as in claim 1, including the step of creating a separate instance of the GUD records for every data type, or every mapping of records files *(i.e., creating a record/file indicating a data type of a file)* **(Bodnar, col. 39, lines 25-29)**, but does not explicitly teach the storing said file in memory and associating said file with a data set associated with said application.

In the related art, **Skarbo** teaches a method for web-based storage and retrieval of documents/files <u>comprising the step of storing the document onto local disk storage 354, and accessing a document registry 358 stored within a system registry to identify an associated application for the document</u> **(Skarbo, col. 10, lines 46-56)**.

Therefore, it would have been obvious to one having ordinary skills in the art at the time the invention was made to combine the teachings of **Eggleston-Joseph-Sawabe-Bodnar** and **Skarbo** to store said document/file in memory and associating said document/file with a data set associated with said application since all references are directed to communicating information over a communications network, hence, would be considered to be analogous based on their related fields of endeavor.

One would be motivated to do so to allow the system to be flexible to accommodate and access data transfer from a data origination device over a wide variety of networks to a wide variety of destination devices using various communications protocols with different data formats/types in order to reliably get conferencing data to conference participants, while utilizing standard registered applications **(Skarbo, col. 1, lines 47-49 and col. 10, line 46 – col. 11, line 7)**.

19.   Claims 16-21 are corresponding receiving method claims of transferring method claims 2-7; therefore, they are rejected under the same rationale.

Response to Arguments

20.   Applicant's arguments as well as request for reconsideration filed on 03/09/2007

have been fully considered but they are moot in view of the new ground(s) of rejection.

21.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action.   In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action.   In no event, however, will the statutory period for reply expire later

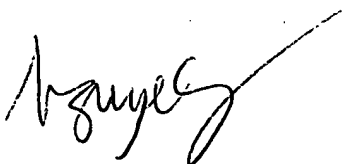than SIX MONTHS from the mailing date of this final action.

22.   Further references of interest are cited on Form PTO-892, which is an
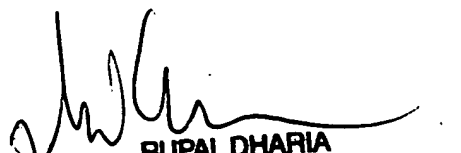
attachment to this Office Action.

23.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quang N. Nguyen whose telephone number is (571) 272-3886.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's SPE, Rupal Dharia, can be reached at (571) 272-3880. The fax phone number for the organization is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Quang N. Nguyen
Patent Examiner
AU – 2141

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